

**TITLE 511 INDIANA STATE BOARD OF
EDUCATION**

Final Rule
LSA Document #99-6 (F)
DIGEST

Adds 511 IAC 6-9.1 to change requirements for waiver of curriculum and graduation rules for programs for high ability students. Repeals 511 IAC 6-9-1, 511 IAC 6-9-2, 511 IAC 6-9-3, 511 IAC 6-9-4, 511 IAC 6-9-6, 511 IAC 6-9-7, and 511 IAC 6-9-8. Effective 30 days after filing with the secretary of state.

511 IAC 6-9-1	511 IAC 6-9-6
511 IAC 6-9-2	511 IAC 6-9-7
511 IAC 6-9-3	511 IAC 6-9-8
511 IAC 6-9-4	511 IAC 6-9.1

SECTION 1. 511 IAC 6-9.1 IS ADDED TO READ AS FOLLOWS:

Rule 9.1. Waiver of Curriculum and Graduation Rules for Programs for High Ability Students

511 IAC 6-9.1-1 Definitions

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2; IC 20-10.1-5.1

Sec. 1. (a) The definitions in this section apply throughout this rule.

(b) “Broad-based planning committee” means a diverse group with representation from:

- (1) educators;**
- (2) parents;**
- (3) students;**
- (4) community members; and**
- (5) other stakeholders;**

organized for the purposes of planning and development of programs.

(c) “Differentiated” means providing tiered levels of services for all educational needs.

(d) “Domain” includes the following areas of aptitude and talent:

- (1) General intellectual.**
- (2) General creative.**
- (3) Specific academic.**
- (4) Technical and practical arts.**
- (5) Visual and performing arts.**
- (6) Interpersonal.**

(e) “General creative” means understanding facts and concepts, developing skills and generalizations, and evaluating their relationships as they apply to activities, such as:

- (1) problem finding;**
- (2) divergent thinking;**
- (3) flexibility;**
- (4) elaboration; and**
- (5) originality.**

(f) “General intellectual” means understanding facts and concepts, developing skills and generalizations, and evaluating their relationships as they apply to a broad array of disciplines.

(g) “Governing body” means the township trustee and township board of a school township, the board of school commissioners, board of school trustees, or any other board charged by law with the responsibility of administering the affairs of a school corporation.

(h) “High ability student” means a student who:

- (1) performs at, or shows the potential for performing at, an outstanding level of accomplishment in at least one domain when compared to other students of the same age, experience, or environment; and
- (2) is characterized by exceptional gifts, talents, motivation, or interests.

(i) “Interpersonal” means understanding facts and concepts, developing skills and generalizations, and evaluating their relationships as they apply to areas, such as:

- (1) leadership;
- (2) mediation;
- (3) counseling; and
- (4) communication.

(j) “Multifaceted assessment” means collecting and analyzing data to identify the educational needs of high ability students through the following:

(1) Performance-based assessment, which includes evaluating the performance of students involved in complex learning opportunities through the use of instruments, such as the following:

- (A) Rating scales.
- (B) Observation or interviews.
- (C) Portfolios.
- (D) Structured observations or interviews.

(2) Potential-based assessment, which includes evaluating the potential performance of high ability students through the use of instruments, such as the following:

- (A) Standardized intelligence tests.
- (B) Standardized achievement tests.
- (C) Behavior rating scales.

(3) Other forms of assessment, which includes using procedures designed to reduce any assessment biases that may be inherent in other assessment methods used to evaluate the levels of services needed for high ability students.

(k) “Program” means educational services differentiated in depth and breadth designed to meet the needs of one or more high ability students through activities such as compacting, acceleration, enrichment, problem solving, and creative thinking.

(l) “Levels of services program” means an educational program differentiated in depth and breadth designed to meet the needs of high ability students through activities, such as:

- (1) compacting;
- (2) acceleration;
- (3) enrichment;
- (4) problem solving; and
- (5) creative thinking.

(m) “Specific academic” means understanding facts and concepts, developing skills and generalizations, and evaluating their relationships as they apply to specific disciplines, such as:

- (1) English language arts;
- (2) social studies;
- (3) foreign languages;
- (4) mathematics; and
- (5) sciences.

(n) “Technical and practical arts” means understanding facts and concepts, developing skills and generalizations, and evaluating their relationships as they apply to disciplines, such as:

- (1) vocational-technical education;
- (2) business technology education;
- (3) family and consumer sciences; and
- (4) technology education.

(o) “Visual and performing arts” means understanding facts and concepts, developing skills and generalizations, and evaluating their relationships as they apply to disciplines, such as:

- (1) art;
- (2) dance;
- (3) music; and
- (4) theater arts.

(Indiana State Board of Education; 511 IAC 6-9.1-1)

511 IAC 6-9.1-2 Program requirements

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2; IC 20-10.1-5.1

Sec. 2. (a) To qualify as a program for high ability students under this rule, each school corporation shall meet all of the criteria in this section.

(b) The school corporation shall develop and periodically update a level of services program to provide educational opportunities to encourage high ability students to reach the highest possible level at every stage of development.

(c) The differentiated program for high ability students must include the following:

(1) A multifaceted student assessment plan, including the following:

- (A) Performance-based assessment.**
- (B) Potential-based assessment.**
- (C) Alternative assessment.**

(2) A curriculum and instructional strategies plan.

(3) A counseling and guidance plan.

(4) A systematic program assessment plan.

(5) A professional development plan.

(d) Educational experiences offered outside the school day may be used to supplement, but not to supplant, the levels of services provided for high ability students offered during the school day.

(e) The governing body shall create a broad-based planning committee to design and monitor the continuous development and implementation of the levels of services program for high ability students.

(f) The program must be approved by the governing body.

(g) The plans described in subsection (c) must be available for public inspection and filed with the department.

(Indiana State Board of Education; 511 IAC 6-9.1-2)

511 IAC 6-9.1-3 Rule waivers

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2; IC 20-10.1-5.1

Sec. 3. (a) Upon proper submission of the appropriate forms by a school corporation, the department may waive, for programs for high ability students, any of the following curriculum or graduation rules:

(1) 511 IAC 6-7-1(d), 511 IAC 6.1-1-2(d), and, for summer school, 511 IAC 12-2-6(a) to allow gifted and talented students to earn credit through performance assessment without completing the required amount of instructional time.

(2) 511 IAC 12-2-6(b) to allow school corporations to be reimbursed for the cost of instruction for more than two

(2) credits in summer school for high ability students.

(3) 511 IAC 6.1-6-1(a) to allow school corporations to utilize adults who have the demonstrated expertise in an area, but not the prerequisite teacher certification, to deliver nonstandard education programs for high ability students, such as:

(A) internships;

(B) mentorships; or

(C) clinical experiences.

(b) The school corporation may appeal a denial of a waiver to the state board. (*Indiana State Board of Education; 511 IAC 6-9.1-3*)

SECTION 2.THE FOLLOWING ARE REPEALED: 511 IAC 6-9-1; 511 IAC 6-9-2; 511 IAC 6-9-3; 511 IAC 6-9-4; 511 IAC 6-9-6; 511 IAC 6-9-7; 511 IAC 6-9-8.